

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

File Name: 05a0952n.06

Filed: December 6, 2005

No. 04-1780

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

KEVIN JAMES, A/K/A PETER BLOXON,
Petitioner-Appellant,

v.

On Appeal from the
United States District Court for
the Eastern District of Michigan

KURT JONES,
Respondent-Appellee.

Before: KENNEDY and GIBBONS, Circuit Judges; DONALD, District Judge*

Per Curiam. Kevin James a/k/a Peter Bloxon (Petitioner) was convicted of carjacking, armed robbery, and possession of a firearm during the commission of a felony. Petitioner pursued his direct appeals in state court. He then sought habeas relief in federal district court on various claims including ineffective assistance of trial counsel, denial of a constitutional right to appeal his conviction and denial of due process of law when the Michigan Court of Appeals denied his motion to remand for an evidentiary hearing on his claims of ineffective assistance of counsel, denial of his constitutional right to testify on his own behalf, allegations of prosecutorial misconduct, and failure of the Michigan trial court to grant Petitioner a new trial because of the prosecutorial misconduct. In a memorandum order and opinion dated May 17, 2004, the district court denied his petition. The

*The Honorable Bernice Bouie Donald, United States District Judge for the Western District of Tennessee, sitting by designation.

district court granted Petitioner a certificate of appealability on the portions of his petition related to ineffective assistance of counsel.

Having studied the record and the briefs of the parties, we are not persuaded that the district court erred in denying the petition. In light of the fact that the district court thoroughly and correctly articulated the reasons why the petition should be denied, and given that the issuance of a detailed opinion by this Court would be superfluous and would serve no useful purpose, we **AFFIRM** the judgment of the district court, based upon the reasoning set forth in its memorandum opinion.